08/16/04 MI O 1 P E CO.

DEC	LARATION	AND I	POWER	OF
ATTORN	NEY FOR PA	ATENT	APPLIC	ATION
	(37 C	FR 1.63	3)	

Attorney Docket Number | 42P18955

First Named Inventor | David Zimmerman

COMPLETE IF KNOWN

Application Number | 10/815,217

Filling Date | March 30, 2004

Art Unit

Declaration
Submitted
with Initial
Filing

OR

Declaration
Submitted after initial
Filing (surcharge
(37 CFR 1.16(e))
required)

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Examiner Name

MEMORY CHANNEL SELF TEST	
(Title of the Invention)	
the specification of which	
is attached hereto.	
OR	
was filed on (if applicable):	
or 03/30/2004 as United States Application Number PCT International Application Number	10/815,217
and was amended on	_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed Invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filling date of the prior application and the national or PCT international filling date of the continuation-in-part application.

AUG 1 6 2004 BADENARD

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
	•			Yes No
				☐Yes ☐No
				☐Yes ☐No
				Yes No
				☐Yes ☐No

Appointment of Practitioners:

I hereby appoint the practitioners associated with Customer Number: 45209 as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Correspondence:

Direct all correspondence to Customer Number 08791

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

WAIL OF SOLE	OR FIRST INVENTOR:	A petition has been filed for this undersigned inventor
Full Name:		David Zimmerman
	(Eirst, Middle	e [ifany], Family Name (or Surname), and Suffix (if any))
Inventor's Signatu	re	Date 9/21/2004
Residence EI	Dorado Hills, California USA	Citizenship USA
Mailing Address	(City, State, Count. 433 Sortwell Court	
	El Dorado Hills, California 9	5762 USA

Full Name:	·	dward Weaver	
	(First, Middle [if any], Fam		nd Suffix [If any])
nventor's Signature		Date	
Residence Sum	nyvale, California USA	Citizenship	USA
	(City, State, Country)		(Country)
Mailing Address	1461 Bedford Avenue		
	Sunnyvale, California 94087 USA		
	7.		
IAME OF THIRD I	NVENTOR: A petition has	been filed for this und	lersigned inventor
full Name:	Ramasu	bramanian Rajamani	
	(First, Middle [if any], Fam		nd Suffix [if any])
nventor's Signature		Date	- 1- 11-
) Posidonos G	netino Colifornio ITSA	Cition at in	TICA
Residence <u>Cup</u> o	ertino, California USA (City, State, Country)	Citizenship	(Country)
A-Dina Address	21387 Krzich Place		(00))
// Alling Aggress			
Mailing Address	Cupertino, California 95014 USA	been filed for this und	erşigned inventor
	Cupertino, California 95014 USA. H INVENTOR: A petition has		
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NAME OF FOURTH	Cupertino, California 95014 USA H INVENTOR: A petition has l (First, Middle [if any], Fam.	ily Name (or Surname), an Date	
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IAME OF FOURTH full Name: nventor's Signature	Cupertino, California 95014 USA H INVENTOR: A petition has l (First, Middle [if any], Fam.	ily Name (or Surname), an Date	d Suffix (if any])
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IAME OF FOURTH full Name: nventor's Signature Residence failing Address IAME OF FIFTH IN full Name:	Cupertino, California 95014 USA H INVENTOR: A petition has a second of the control of the contr	ily Name (or Surname), an Date Citizenship been filed for this und	(Country)
IAME OF FOURTH full Name: nventor's Signature Residence failing Address IAME OF FIFTH IN full Name:	Cupertino, California 95014 USA H INVENTOR: A petition has l (First, Middle [if any], Fam. (City, State, Country) WENTOR: A petition has l (First, Middle [if any], Fam.	ily Name (or Surname), an Date Citizenship been filed for this und	(Country) ersigned inventor

AUG 1 6 2004 BADEMARKO

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filling and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the dealm is a cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that remaining under consideration in the application need not be submitted if the information is not material to the patentability of any claim existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prime facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paregraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

08/16/04 M AUG 1 6 2004 W

		AND POWER OF	Attorney Docket Numb	er 42P18955	
ATTORNEY		ATENT APPLICATION FR 1.63)	First Named Inventor		лап
	(31 01	·K 1.63)		OMPLETE IF KNO	
	_	7	Application Number	10/815,217	
Declaration Submitted	OR 🔀	Declaration Submitted after initial	Filing Date	March 30, 200)4
with initial Filing	J.,	Filing (surcharge (37 CFR 1.18(e))	Art Unit		
		regulant	Eveniner Name		

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled;

MEMORY CHANNEL SELF TEST	
(Title of the Invention)	
the specification of which	
is attached hereto.	
OR ·	
was filed on (if applicable):	
or 03/30/2004 as United States Application Number PCT International Application Number	<u>10/815,217</u>
and was amended on	(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
				☐ Yes ☐ No
1				☐Yes ☐No
·				Yes No
				☐Yes ☐No
		· '		☐Yes ☐No

Appointment of Practitioners:

I hereby appoint the practitioners associated with Customer Number: <u>45209</u> as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

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Correspondence:

Direct all correspondence to Customer Number 08791,

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE	OR FIRST INVENTOR:	A petition has been filed for this undersigned inventor
Full Name:		David Zimmerman
	(First, Middle	[if any]. Family Name (or Surname), and Suffix [if any])
Inventor's Signatu	re	Date
Residence EII	Dorado Hills, California USA	Citizenship USA
	(City , State, Count	(Country)
Mailing Address	433 Sortwell Court	
	El Dorado Hills, California 9	5762 USA

Full Name:		Edward Weaver	
	(First, Middle (if any)) F	amily Name (or Surname).	and Suffix (if agy))
nventor's Signatur	· Extract Distan	usef Date _	8/9/2004
Residence Sun	nyvale, California USA	Citizonable	TIBA
	(City , State, Country)	Citizenship	(Country)
ailing Address	1461 Bedford Avenue		(Country)
_	Surnyvale, California 94087 USA		
AME OF THIRD I	NVENTOR: A petition ha	s been filed for this un	dersigned inventor
ull Name:		subramenien Rejamani	
	(First, Middle fif any), Fo	mily Name (or Surname), a	nd Suffix Of anul)
ventor's Signature	- K.Rajaman	Date	9/9/2001
			47204
esidence <u>Cup</u> c	ertino, California USA	Citizenship	USA
	(City , State, Country)	<u> </u>	(Country)
ailing Address	21387 Krzich Place	<u> </u>	
	Cupertino, California 95014 USA	•	
	INVENTOR: A petition has	s been filed for this und	lersigned Inventor
ill Name:	(First, Middle [if any], Fa	s been filed for this unc mity Name (or Surname), an Date	
ill Name: ventor's Signature	(First, Middle [if any], Fa	mily Name (or Surname), an	
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- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information, which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of eny claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §\$1.97(b)-(d) and 1.88. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuats associated with the filling or prosecution of a patent application believe any pending claim patentably defines, to make sure that any meterial information contained therein is disclosed to the Office.
 - (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prime facle case of unpatentability of a claim; or
 - (2) If refutes, or is inconsistent with, a position the applicant takes in:
 - Opposing an argument of unpatentability railed on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facte case of unpatentability is established when the information compets a conclusion that a claim is unpatentable under the preponderence of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filling date of the prior application and the national or PCT international filling date of the continuation in-part application.